General Assembly

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Resolution adopted by the General Assembly

[*on the report of the Fifth Committee (A/61/592/Add.4)*]

61/262. Conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice and judges and ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda

The General Assembly,

Recalling section VIII of its resolution 53/214 of 18 December 1998, its resolutions 55/249 of 12 April 2001, 56/285 of 27 June 2002 and 57/289 of 20 December 2002 and section III of its resolution 59/282 of 13 April 2005,

Recalling also Article 32 of the Statute of the International Court of Justice, as well as relevant General Assembly resolutions that govern the conditions of service and compensation for the members of the International Court of Justice and the judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 and the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994,

Having considered the report of the Secretary-General[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

1. *Reaffirms* the principle that the conditions of service and compensation for non-Secretariat United Nations officials shall be separate and distinct from those for officials of the Secretariat;

2. *Recalls* that the International Court of Justice is the principal judicial organ of the United Nations;

3. *Also recalls* section III, paragraph 4, of its resolution 59/282, by which it decided to increase the annual salary of the members of the International Court of

[1] A/61/554.

[2] A/61/612 and Corr.1.

Justice and the judges and ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda by 6.3 per cent as an interim measure and further recalls section III, paragraph 8, of the resolution;

4. *Endorses* the conclusions and recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in its report,[2] subject to the provisions of the present resolution;

5. *Recalls* its resolution 37/240 of 21 December 1982, and requests the Secretary-General to review and update the travel and subsistence regulations for the International Court of Justice, taking into account the recommendation of the Advisory Committee on Administrative and Budgetary Questions in paragraph 15 of its report[2] and bearing in mind the relevant provisions of the Statute of the International Court of Justice, and to report thereon to the General Assembly, for its approval, at its sixty-second session;

6. *Endorses* the proposal of the Secretary-General contained in paragraph 80 of his report[1] whereby the annual salaries of the members of the International Court of Justice and the judges and ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda would comprise an annual base salary with a corresponding post adjustment per index point equal to one per cent of the net base salary to which would be applied a post adjustment multiplier, as appropriate, taking into account the proposals of the Secretary-General contained in paragraphs 83 and 84 of his report;[1]

7. *Decides* to set, effective 1 January 2007, the annual net base salary of the members of the International Court of Justice and the judges and ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda at 133,500 United States dollars, with a corresponding post adjustment per index point equal to one per cent of the net base salary, to which would be applied the post adjustment multiplier for the Netherlands or for the United Republic of Tanzania, as appropriate;

8. *Also decides* to maintain, as a transitional measure, in line with the provisions of Article 32, paragraph 5, of the Statute of the International Court of Justice, the level of annual salary approved in section III of its resolution 59/282 for the current members of the International Court of Justice and the judges and ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda for the duration of their current term of office or until such a time as this amount is overtaken by the application of the revised annual salary system;

9. *Further decides* that any decisions with regard to the increase in the salary and other allowances of the members of the International Court of Justice and the judges and ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda shall not constitute a precedent for any other category of judges working within the United Nations system and that any decision regarding the service of any other category of judges shall be taken on a case-by-case basis;

10. *Decides* to maintain, as an interim measure, the retirement benefits of the members of the International Court of Justice and the judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda at the level resulting from the annual base salary decided in section III of

its resolution 59/282, and requests the Secretary-General to revise article 1, paragraph 2, of the Pension Scheme Regulations accordingly;

11. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-second session on options for designing pension schemes for the members of the International Court of Justice and the judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda, including defined-benefit and defined-contribution schemes, taking into account the possibility of calculating pensions on the basis of the number of years served rather than the term of office;

12. *Recalls* section I of its resolution 61/239 of 22 December 2006, and decides to extend its decision on the level of education grant for the members of the International Court of Justice and the judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda;

13. *Requests* the Secretary-General to report to the General Assembly on the additional expenditures in the context of the second performance report on the programme budget for the biennium 2006–2007 and the second performance reports on the budgets of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda for the biennium 2006–2007.

93rd plenary meeting
4 April 2007